City of Carmel Common Council ADD-ON'S For February 20, 2006

Ordinance D-1796-06: An Ordinance of the Common Council of the City of Carmel, Indiana, Repealing Ordinance D-1790-06; Sponsor: Councilor Sharp.

Ordinance D-1797-06: An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing Speed Limits and Stop Intersections, and Designating Through Highways, Relative to the Monon Greenway; Sponsor: Councilor Sharp.

Richard L. Sharp

1481 Stormy Ridge Ct. Carmel, IN 46032

To: Diana Cordray

Cc: Jim Brainard, Kevin Kirby, Fred Glaser, Joe Griffiths, Mark Rattermann,

Ron Carter, Brian Mayo, Lesley Rogers Barrett

From: Rick Sharp

Date: February 17, 2006

Re: Rationale for agenda add on item

I am requesting that proposed Ordinances D-1796-06, D-1797-06 be added to the council agenda for our meeting of the 20^{th} .

These items are very important to the safety and welfare of the citizens of the city. Holding these items until our next meeting will create an unnecessary delay and a potential hardship. I know your office has copies of these ordinances and I appreciate your assistance.

By copy of this memo I am notifying the Mayor, members of the Council and the press.

Please feel free to call with any questions.

SPONSOR: Councilor Sharp

ORDINANCE D-1796-06 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, **INDIANA, REPEALING ORDINANCE D-1790-06** WHEREAS, the Common Council of the City of Carmel, Indiana has the authority to enact and repeal ordinances adopted by the Common Council; and, WHEREAS, on February 6, 2006, the Council adopted Ordinance D-1790-06 entitled, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA, ESTABLISHING SPEED LIMITS AND STOP INTERSECTIONS, AND DESIGNATING THROUGH HIGHWAYS, RELATIVE TO THE MONON GREENWAY; and WHEREAS, certain language was omitted from Ordinance D-1790-06 which may create confusion for the citizens of Carmel: NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Carmel, Indiana, that: 1. Ordinance D-1790-06 is hereby repealed and deleted in its entirety. **PASSED** by the Common Council of the City of Carmel, Indiana this _____ day of ______, 2006, by a vote of _____ayes and _____ nays. COMMON COUNCIL FOR THE CITY OF CARMEL Presiding Officer Joseph C. Griffiths Richard L. Sharp, President Pro Tempore Kevin Kirby Ronald E. Carter Brian D. Mayo Fredrick J. Glaser Mark Rattermann

ATTEST:	
	TANKS CLASS
Diana L. Core	dray, IAMC, Clerk-Treasurer
	nted by me to the Mayor of the City of Carmel, Indiana this day of, 2006, atO'clock,M.
	Diana L. Cordray, IAMC, Clerk-Treasu
	oved by me, Mayor of the City of Carmel, Indiana, this day of,, 2006, atO'clock,M.
	James Brainard, Mayor
ATTEST:	
MITESI.	
D' I. C	James LAMC Clark Torrange
Diana L. Con	dray, IAMC, Clerk-Treasurer
Prepared by:	Diana L. Cordray Clerk-Treasurer
	City of Carmel

2 3 4	AS AMENDED AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA, ESTEAD ASSESSMENT AND STOR DEPOSIT OF THE CITY OF CARMEL, INDIANA,
5	ESTABLISHING SPEED LIMITS AND STOP INTERSECTIONS, AND DESIGNATING
6 7	THROUGH HIGHWAYS, RELATIVE TO THE MONON GREENWAY
8	
9	
10	WHEREAS, the City of Carmel, Indiana ("City"), pursuant to Indiana Code 36-10, has
11	established a linear park within its jurisdiction commonly known as the Monon Greenway ("Monor
12	Greenway"); and
13	
14	WHEREAS, the Carmel-Clay Parks and Recreation Board, as established and as governed by
15	Indiana Code 36-10-3 ("Park Board"), operates and maintains the Monon Greenway pursuant to that
16	certain Management Agreement originally entered into by and between the City and the Parks Board
17	on July 16, 2003, as subsequently amended; and
18	
19	WHEREAS, the Monon Greenway runs along a former rail corridor extending from 96 th Street
20	to 146 th Street in Hamilton County, Indiana; and
21	
22	WHEREAS, the Monon Greenway constitutes a "highway" and a "street" as those terms are
23	defined in Indiana Code 9-13-2-73; and
24	
25	WHEREAS, the Monon Greenway is utilized by bicycles and other non-motorized "vehicles,"
26	as that term is defined in Indiana Code 9-13-2-196, by certain authorized "motor vehicles," as that
27	term is defined in Indiana Code 9-13-2-105, and by pedestrians; and
28	
29	WHEREAS, the Monon Greenway crosses several highways and streets on its route, each such
30	intersection creating a heightened risk of danger to persons traveling on the Monon Greenway and
31	those persons traveling on intersecting thoroughfares; and
32	TATTED TO A C 1.1. 1.1. 1.1. 1.1. 1.1. 1.1. 1.1.
33	WHEREAS, it is in the best interests of public safety and welfare to regulate traffic at Monor
34	Greenway intersections by establishing stop intersections on the Monon Greenway at these
35	intersections, pursuant to Indiana Code 9-21-1-3 and City Code Section 8-30; and
36	WIIFDEAS appropriate Indiana Code 0.21.1.2 the City may recorded the smooth of vehicles
37 38	WHEREAS, pursuant to Indiana Code 9-21-1-3, the City may regulate the speed of vehicles
39	upon its highways and streets, as well as require all vehicles to stop before entering or crossing
39 40	designated "through highways" located within its jurisdiction; and
40	WHEREAS, pursuant to Indiana Code 9-21-5-6(e), the City, upon the request of the Park
41	Board, may establish the speed limit on the Monon Greenway as fifteen (15) miles per hour; and
43	board, may establish the speed finite on the proposition differingly as inteen (13) finites per flour, and
44	Page One of Four Pages

WHEREAS, the Park Board has requested that the City establish the speed limit for all vehicles traveling on the Monon Greenway at fifteen (15) miles per hour; and

WHEREAS, pursuant to Indiana Code 9-21-11-11 and 9-21-17-13, all persons using the Monon Greenway must obey the traffic control devices located thereon; and

 WHEREAS, it is in the best interest of public safety and welfare to now declare the highways which cross the Monon Greenway as "through highways" and to require all vehicles and pedestrians on the Monon Greenway to stop before entering or crossing such "through highways," and to establish a fifteen (15) miles per hour speed limit for all vehicles traveling on the Monon Greenway.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Carmel, Indiana, as follows:

<u>Section 1</u>. The foregoing Recitals are fully incorporated herein and made a part hereof.

<u>Section 2</u>. The following thoroughfares located within the City's jurisdiction are designated "through highways," for purposes of Indiana Code 9-21-1-3, at and about their intersection with the Monon Greenway:

a. West Smokey Row Road (West 136th Street)	g. West Carmel Drive
b. West Main Street (131st Street	h. East 116th Street
c. 1st Street NW	 i. Central Park Drive
d. 1st Street SW	j. East 111 th Street
e. 2 nd Street SW	k. East 96 th Street
f. Gradle Drive	

<u>Section 3</u>. Chapter 8, Article 9, Section 8-120 of the Carmel City Code, should be and is hereby amended to include the following locations:

50				
31	"Street Name	Direction of Traffic	<u>Sign</u>	Intersecting Street
32			· ·	•
33	Monon Greenway	Northbound	Stop	West Smokey Row (West 136th Street)
34	Monon Greenway	Southbound	Stop	West Smokey Row (West 136th Street)
35	Monon Greenway	Northbound	Stop	West Main Street (131st Street)
36	Monon Greenway	Southbound	Stop	West Main Street (131st Street)
37	Monon Greenway	Northbound	Stop	1st Street NW
38	Monon Greenway	Southbound	Stop	1st Street NW
39	Monon Greenway	Northbound	Stop	1st Street SW
40	Monon Greenway	Southbound	Stop	1st Street SW
41	Monon Greenway	Northbound	Stop	2 nd Street SW
42	Monon Greenway	Southbound	Stop	2 nd Street SW
43	,		'	

45 Ordinance D-1790-06

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1 2 3	Monon Greenway Monon Greenway Monon Greenway	Northbound Southbound Northbound	Stop Stop Stop	East 116 th Street East 116 th Street Central Park Drive
4	Monon Greenway	Southbound	Stop	Central Park Drive
5	Monon Greenway	Northbound	Stop	East 111th Street
6	Monon Greenway	Southbound	Stop	East 111 th Street
7	Monon Greenway	Northbound	Stop	Gradle Drive
8	Monon Greenway	Southbound	Stop	Gradle Drive
9	Monon Greenway	Northbound	Stop	West Carmel Drive
10	Monon Greenway	Southbound	Stop	West Carmel Drive
11	Monon Greenway	Northbound	Stop	East 96th Street
12	Monon Greenway	Southbound	Stop	East 96th Street"
13				
14	Section 4. Chap	ter 8, Article 3, Section	on 8-28 of the C	armel City Code should be and the same
15	is hereby added to the C	armel City Code and	shall read as follo	ows:
16				
17	"Section 8-28. Fiftee	n Mile Per Hour Speed Li	mit Designations.	
18			-	
19				m is defined in Indiana Code 9-13-2-196, as
20			ty miles per hour (20	mph) along the length of the Monon Greenway,
21	ex	cepting:		
22		(4) TI M		" "
23			,	rsection with 111 th Street to its intersection with
24 25		130" Street, where	the speed limit shall	гре тэ трп.
25 26		(2) {Reserved}		
27		(2) (Neserveu)		
28	b. Ar	v nerson who operates a	vehicle in violation o	f this Section shall, upon conviction thereof, be
29				0.00) nor more than Five Hundred Dollars
30		500.00) for each such viola		
31	· ·	, , , , , , , , , , , , , , , , , , , ,		
32	Section 5. The	e Carmel Street De	partment, in co	operation with the Carmel/Clay Parks
33			•	riate signage and/or markings at Monon
34				to effectuate this Ordinance.
35	,	6 : 1 -1-1-011		
36	Section 5. All pr	ior City ordinances o	r parts thereof th	at are inconsistent with any provision of
37	this Ordinance are hereb	•	-	· · · · · · · · · · · · · · · · · · ·
38	ting Gramanee are neres	y repeared as or the c	irective date or t	ins Ordinance.
39	Section 6. This C	ordinance shall be in f	full force and effe	ect from and after the date of its passage,
40	execution by the Mayor,			r
41	oncomion of the integral,	unu puoneuron us re	quired by id	
42	PASSED by th	e Common Council	of the City of	f Carmel, Indiana, this day of
43			-	
44			ay 05 and	
45				
46	Ordinance D-1790-06			
47	Page Three of Four Pages			
	311 341 4805			

Presiding Officer	Joseph C. Griffiths
Richard L. Sharp, President Pro Tempore	Kevin Kirby
Ronald E. Carter	Brian D. Mayo
Fredrick J. Glaser	Mark Rattermann
ATTEST:	
	y of Carmel, Indiana, this day of
Presented by me to the Mayor of the City	
Presented by me to the Mayor of the City 2005, at O'clock, M. Approved by me, Mayor of the City of C	Diana L. Cordray, IAMC, Clerk-Treason
Presented by me to the Mayor of the City 2005, at O'clock, M.	Diana L. Cordray, IAMC, Clerk-Treasu Carmel, Indiana, this day of
Presented by me to the Mayor of the City 2005, at O'clock, M. Approved by me, Mayor of the City of C	Diana L. Cordray, IAMC, Clerk-Treasu Carmel, Indiana, this day of
Presented by me to the Mayor of the City 2005, at O'clock, M. Approved by me, Mayor of the City of C	Diana L. Cordray, IAMC, Clerk-Treast Carmel, Indiana, this day of

1 **ORDINANCE D-1797-06** 2 3 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA, 4 ESTABLISHING SPEED LIMITS AND STOP INTERSECTIONS, AND DESIGNATING THROUGH HIGHWAYS, RELATIVE TO THE MONON GREENWAY 5 6 7 8 WHEREAS, the City of Carmel, Indiana ("City"), pursuant to Indiana Code 36-10, has 9 established a linear park within its jurisdiction commonly known as the Monon Greenway ("Monon Greenway"); and 10 11 12 WHEREAS, the Carmel-Clay Parks and Recreation Board, as established and as governed by 13 Indiana Code 36-10-3 ("Park Board"), operates and maintains the Monon Greenway pursuant to that 14 certain Management Agreement originally entered into by and between the City and the Parks Board 15 on July 16, 2003, as subsequently amended; and 16 WHEREAS, the Monon Greenway runs along a former rail corridor extending from 96th Street 17 to 146th Street in Hamilton County, Indiana; and 18 19 20 WHEREAS, the Monon Greenway constitutes a "highway" and a "street" as those terms are 21 defined in Indiana Code 9-13-2-73; and 22 23 WHEREAS, the Monon Greenway is utilized by bicycles and other non-motorized "vehicles," 24 as that term is defined in Indiana Code 9-13-2-196, by certain authorized "motor vehicles," as that 25 term is defined in Indiana Code 9-13-2-105, and by pedestrians; and 26 27 WHEREAS, the Monon Greenway crosses several highways and streets on its route, each such 28 intersection creating a heightened risk of danger to persons traveling on the Monon Greenway and 29 those persons traveling on intersecting thoroughfares; and 30 31 WHEREAS, it is in the best interests of public safety and welfare to regulate traffic at Monon 32 Greenway intersections by establishing stop intersections on the Monon Greenway at these 33 intersections, pursuant to Indiana Code 9-21-1-3 and City Code Section 8-30; and 34 35 WHEREAS, pursuant to Indiana Code 9-21-1-3, the City may regulate the speed of vehicles 36 upon its highways and streets, as well as require all vehicles to stop before entering or crossing designated "through highways" located within its jurisdiction; and 37 38 39 WHEREAS, pursuant to Indiana Code 9-21-5-6(e), the City, upon the request of the Park 40 Board, may establish a speed limit for all vehicles traveling on the Monon Greenway; and

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41 42 **WHEREAS**, the Park Board has requested that the City establish a speed limit for all vehicles traveling on the Monon Greenway; and

WHEREAS, pursuant to Indiana Code 9-21-11-11 and 9-21-17-13, all persons using the Monon Greenway must obey the traffic control devices located thereon; and

 WHEREAS, it is in the best interest of public safety and welfare to now declare the highways which cross the Monon Greenway as "through highways" and to require all vehicles and pedestrians on the Monon Greenway to stop before entering or crossing such "through highways" and to establish a speed limit for all vehicles traveling on the Monon Greenway.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Carmel, Indiana, as follows:

<u>Section 1</u>. The foregoing Recitals are incorporated herein and made a part hereof.

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<u>Section 3</u>. Chapter 8, Article 9, Section 8-120 of the Carmel City Code, should be and is hereby amended to include the following locations:

-	J			
30				
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32			-	
33	Monon Greenway	Northbound	Stop	West Smokey Row (West 136th Street)
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35	Monon Greenway	Northbound	Stop	West Main Street (131st Street)
36	Monon Greenway	Southbound	Stop	West Main Street (131st Street)
37	Monon Greenway	Northbound	Stop	1st Street NW
38	Monon Greenway	Southbound	Stop	1st Street NW
39	Monon Greenway	Northbound	Stop	1st Street SW
40	Monon Greenway	Southbound	Stop	1st Street SW
41	Monon Greenway	Northbound	Stop	2 nd Street SW
42	Monon Greenway	Southbound	Stop	2 nd Street SW
43	,		•	

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1	Monon Greenway	Northbound	Stop	East 116 th Street
2 3	Monon Greenway	Southbound	Stop	East 116 th Street
3	Monon Greenway	Northbound	Stop	Central Park Drive
4	Monon Greenway	Southbound	Stop	Central Park Drive
5	Monon Greenway	Northbound	Stop	East 111th Street
6	Monon Greenway	Southbound	Stop	East 111th Street
7	Monon Greenway	Northbound	Stop	Gradle Drive
8	Monon Greenway	Southbound	Stop	Gradle Drive
	3		•	
9	Monon Greenway	Northbound	Stop	West Carmel Drive
10	Monon Greenway	Southbound	Stop	West Carmel Drive
11	Monon Greenway	Northbound	Stop	East 96th Street
12	Monon Greenway	Southbound	Stop	East 96th Street"
13				
14	Section 4. Chapter	8, Article 3, Section	n 8-25 of the C	armel City Code should be and the same
15	is hereby added to the Carm			· · · · · · · · · · · · · · · · · · ·
16	is noteey added to the carri	or only code and si	1011 1000 05 1011	0 11 5.
17	"Saction 0 2E	Speed Limit Designation	200	
	Section 6-25. <u>.</u>	speed Limit Designation	<u>115</u> .	
18		Ma manaan maay an an	ata am., ".,abiala " .	and the statement is defined in Indiana Code 0.12.2
19	a.			as that term is defined in Indiana Code 9-13-2-
20			,	miles per hour (20 mph) along the length of the
21		Monon Greenway, ex	xcepting:	
22				
23				s intersection with 111th Street to its intersection
24		with 136th Stree	et, where the speed	d limit shall be fifteen miles per hour (15 mph).
25				
26		(2) {Reserved}		
27		.,.		
28	b.	Any person who ope	rates a vehicle in v	violation of this Section shall, upon conviction
29				than Fifty Dollars (\$50.00) nor more than Five
30		Hundred Dollars (\$50		· · · · · · · · · · · · · · · · · · ·
31		Transica Dollars (400	oo.oo, for cach sac	Sir violation.
32	Section 5 The Co	mal Ctuart Dans	utmant in ac	operation with the Commel/Clay Doules
				operation with the Carmel/Clay Parks
33	-			riate signage and/or markings at Monon
34	Greenway intersections and	along the Monon C	Greenway so as	to effectuate this Ordinance.
35				
36	Section 6. All prior	City ordinances or	parts thereof th	at are inconsistent with any provision of
37	this Ordinance are hereby re	•	•	• 1
38	tins Ordinance are nereby re	peared as of the eff	ective date of t	ms Ordinance.
	Castian 7 This Ondi	u au aa ah all ha in fa	11 famos and aff	and from and after the date of its masses.
39	·			ect from and after the date of its passage,
40	execution by the Mayor, and	l publication as req	uired by law.	
41				
42	PASSED by the C	Common Council	of the City o	f Carmel, Indiana, this day of
43	, 2006,			
44	, 2000,			
45				
	Ondings D 1707 06			
46	Ordinance D-1797-06			
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Presiding Officer	Joseph C. Griffiths
Richard L. Sharp, President Pro Tempore	Kevin Kirby
Ronald E. Carter	Brian D. Mayo
Fredrick J. Glaser	Mark Rattermann
ATTEST:	
Diana L. Cordray, IAMC, Clerk-Treasurer	
2005, at O'clock, M.	Diana L. Cordray, IAMC, Clerk-Treason
Approved by me, Mayor of the City of C	Diana L. Cordray, IAMC, Clerk-Treason
Approved by me, Mayor of the City of C	